

Senate Bill No. 505

CHAPTER 236

An act to amend Section 2300 of the Elections Code, relating to elections.

[Approved by Governor September 1, 2015. Filed with
Secretary of State September 1, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

SB 505, Mendoza. Voter Bill of Rights.

Existing law sets forth requirements and entitlements with respect to the right to vote in California elections. Among the requirements for voters is United States citizenship. Existing law establishes a Voter Bill of Rights enumerating the rights of voters as established under existing law and requires the Voter Bill of Rights, worded as specified, to be made available to the public. Existing law permits the Secretary of State to develop regulations to implement and clarify the Voter Bill of Rights.

This bill would eliminate the requirement that the Voter Bill of Rights be worded as specified and would instead authorize the Secretary of State to revise the wording as necessary to ensure understanding.

The people of the State of California do enact as follows:

SECTION 1. Section 2300 of the Elections Code is amended to read:

2300. (a) All voters, pursuant to the California Constitution and this code, shall be citizens of the United States. There shall be a Voter Bill of Rights for voters, available to the public, which shall convey all of the following to voters:

(1) (A) You have the right to cast a ballot if you are a valid registered voter.

(B) A valid registered voter means a United States citizen who is a resident in this state, who is at least 18 years of age and not in prison or on parole for conviction of a felony, and who is registered to vote at his or her current residence address.

(2) You have the right to cast a provisional ballot if your name is not listed on the voting rolls.

(3) You have the right to cast a ballot if you are present and in line at the polling place prior to the close of the polls.

(4) You have the right to cast a secret ballot free from intimidation.

(5) (A) You have the right to receive a new ballot if, prior to casting your ballot, you believe you made a mistake.

(B) If at any time before you finally cast your ballot, you feel you have made a mistake, you have the right to exchange the spoiled ballot for a new

ballot. Vote by mail voters may also request and receive a new ballot if they return their spoiled ballot to an elections official prior to the closing of the polls on election day.

(6) You have the right to receive assistance in casting your ballot, if you are unable to vote without assistance.

(7) You have the right to return a completed vote by mail ballot to any precinct in the county.

(8) You have the right to election materials in another language, if there are sufficient residents in your precinct to warrant production.

(9) (A) You have the right to ask questions about election procedures and observe the election process.

(B) You have the right to ask questions of the precinct board and elections officials regarding election procedures and to receive an answer or be directed to the appropriate official for an answer. However, if persistent questioning disrupts the execution of their duties, the board or election officials may discontinue responding to questions.

(10) You have the right to report any illegal or fraudulent activity to a local elections official or to the Secretary of State's office.

(b) Beneath the Voter Bill of Rights there shall be listed a toll-free telephone number to call if a person has been denied a voting right or to report election fraud or misconduct.

(c) The Secretary of State may do both of the following:

(1) Develop regulations to implement and clarify the Voter Bill of Rights set forth in subdivision (a).

(2) Revise the wording of the Voter Bill of Rights as necessary to ensure the use of clear and concise language free from technical terms.

(d) The Voter Bill of Rights set forth in subdivisions (a) and (b) shall be made available to the public before each election and on election day, at a minimum, as follows:

(1) The Voter Bill of Rights shall be printed in the statewide voter pamphlet, pursuant to Section 9084, in a minimum of 12-point type. Subparagraph (B) of paragraph (1) of subdivision (a), subparagraph (B) of paragraph (5) of subdivision (a), and subparagraph (B) of paragraph (9) of subdivision (a) may be printed in a smaller point type than the rest of the Voter Bill of Rights.

(2) Posters or other printed materials containing the Voter Bill of Rights shall be included in precinct supplies pursuant to Section 14105.